

**REMARKS**

Applicants gratefully acknowledge the Examiner's allowance of Claims 2-6 and 55, and the indication that Claim 54 is allowable.

**Claim Amendments**

Applicants have amended Claims 1, 7 and 54, and added new claims 57-62. As amended, Claim 1 now recites a method for stimulating proliferation of endothelial or mesodermal cells by activating the VEGF-2 receptors on these cells. Claim 7 has been amended to remove ORFV2-VEGF from the two-member Markush group, and Claim 54 has been amended to incorporate all recitations of original Claim 1 from which it depends.

New Claim 59 now recites a method for modulating vascular permeability by activating the VEGF-2 receptors. Claim 53 and new Claims 57, new claims 58 and 59, and 61 and 62, recite each of the two members of the Markush group in their respective base claims.

Applicants respectfully submit that all claim amendments are supported by the specification as originally filed. For example, all elements of the claims as amended are supported by the original claims. No issues of new matter are believed to be raised. Entry and reconsideration of the claims are respectfully requested.

**Claim Rejections**

The Office Action maintains the rejection of Claims 1, 7 and 53, asserting that methods for with respect to ORFV2-VEGF are obvious over Lyttle *et al.* in view of Thomas *et al.*

Solely in order to expedite prosecution, without acquiescing to the assertions in the Office Action, applicants have amended claim 1 to recite a method for stimulating proliferation of endothelial or mesodermal cells or by activating the VEGF-2 receptors on these cells. Because the Examiner has indicated that methods for activating the VEGF-2 receptors are patentable, applicants respectfully submit that Claim 1 as amended is now also patentable, and should be allowed. Claim 53 depends from Claim 1, therefore it is also patentable. Claim 7 has been amended to recite only NZ10 polypeptide, therefore it is now free of the prior art and should be allowed.

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New Claim 60 recites a method for modulating vascular system permeability by activating VEGF-2 receptors with ORFV2-VEGF or NZ10. Similar to the analysis above with regard to amended Claim 1, applicants respectfully submit that Claim 60 is allowable. Because Claims 57-59 and 61-61 depend from allowable base claims, applicants respectfully submit that they are all in condition for allowance as well.

As indicated above, Claim 54 has been amended to incorporate recitations from the base claim from which it depended from prior to amendment. Accordingly, the objection to Claim 54 is believed to have been overcome.

### CONCLUSION

In summary, applicants respectfully submit that all rejections and objections to the pending claims have been overcome or obviated by the claim amendment, and all claims are now in condition for allowance. Applicants respectfully request the Examiner to so indicate as soon as possible. If there should be any issues remaining, the Examiner is respectfully requested to contact the undersigned by telephone to discuss the issues.

It is believed that this response is timely and no extension of time is necessary. If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #1064/44803).

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Respectfully submitted,



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